



December 28, 2023

**Wayne R. Rohde**

Direct Phone 202-463-2507

Direct Fax 202-640-5912

wrohde@cozen.com

**VIA EMAIL**

Dr. Kristen Monaco  
Director, Bureau of Trade Analysis  
Federal Maritime Commission  
800 North Capitol Street, NW  
Washington, DC 20573

RE: **URGENT** – Request for Special Permission on behalf of  
Maersk A/S, Org No. 025360

Dear Dr. Monaco:

Pursuant to 46 C.F.R. §520.14, Maersk A/S, Org. No. 025360 (“Maersk”) respectfully requests special permission to deviate from 46 C.F.R. §520.8(a) and to implement an Emergency Contingency Surcharge (“ECS”) on less than thirty (30) days’ notice. The reasons for this request are set forth below.

As a global carrier, Maersk operates services between the United States and various locations around the world, including the Middle East and India. The services from the Middle East and India have historically transited the Suez Canal, which provides a shorter, faster and less expensive alternative to sailing around the southern cape of Africa.

As the Commission is aware, in recent days there have been a number of attacks on vessels transiting the narrow strait at the south end of the Red Sea. (See [https://www.joc.com/article/hapag-lloyd-vessel-hit-red-sea-choke-point\\_20231215.html](https://www.joc.com/article/hapag-lloyd-vessel-hit-red-sea-choke-point_20231215.html)).

These attacks have made it too dangerous to continue operating services via the Suez Canal. Maersk has decided instead to route its vessels around Africa for safety of the crews, vessels, and cargo. Diverting vessels away from the Suez Canal and sailing around Africa significantly lengthens the voyage between the locations in question and the U.S., and significantly increases the cost of providing this service. In addition, the disruption of normal service patterns is expected to have an adverse impact on operations globally (i.e., on non-Suez services), including equipment flows and availability and congestion/bottlenecks.

In an effort to recover some of the costs of service disruptions, Maersk has published the following ECS in Rule 20-1 of its tariff Rule 20-1 of its Tariff TLI-18723308 (covering the Middle East and India to United States) for effect on January 22, 2024:

\$1300 per 20' dry  
\$1600 per 40' dry  
\$2100 40' HREF

And the following for effect on January 25, 2024:

\$1,600 per 45' dry  
\$2,100 per 40' REF

However, unless the effective date of this new surcharge is advanced, Maersk will be unable to begin recovering the increased costs it is presently experiencing for three full weeks.

Accordingly, Maersk respectfully requests that it be granted special permission to advance the effective date of the ECS to the earliest possible date.

The filing fee for this request has been paid electronically. The Pay.gov tracking ID is 27AH10F9 and the Agency Tracking ID is 76589102554.

Thank you in advance for your favorable consideration of this request. Should you have any questions or require any further information, please do not hesitate to contact the undersigned.

Sincerely,

COZEN O'CONNOR



By: Wayne Rohde

WRR

Enclosure